

Claims:

1. A herbal soft drink comprising of: a concentrated herbal extract obtained from a mixture of herbs selected from *Sida* spp., *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia* and *Withania somnifera* along with jaggery, a fermenting agent and carbonated water.
2. The herbal soft drink as claimed in claim 1, wherein the percentage ratio of *Sida* spp.: *Boerhaavia diffusa*: *Vitis vinifera*: *Tinospora cordifolia*: *Withania somnifera* in the powdered mixture is in the range of 15 to 20: 5 to 10: 15 to 20: 5 to 10: 5 to 10.
3. The herbal soft drink as claimed in claim 1, wherein the w/w ratio of the jaggery: concentrated herbal extract is in the range of 1:3 to 1:4.
4. The herbal soft drink as claimed in claim 1, wherein the fermenting agent used is *Sacromyces* strain and flowers of *Woodfordia fructose*.
5. The herbal soft drink as claimed in claim 4, wherein the percentage ratio of fermenting agent added is in the range of 4 to 16.
6. The herbal soft drink as claimed in claim 1, wherein the w/w ratio of carbonated water: the mixture of the concentrated extract, jaggery, and the fermenting agent is in the range of 1:3 to 1:5.
7. The herbal soft drink as claimed in claim 1, wherein the soft drink provides antioxidant, hepatoprotective, cardio-tonic, diuretic, digestive, choleric, nervine relaxant and immuno-enhancing properties.
8. The herbal soft drink as claimed in claim 1, wherein total solids content in the soft drink ranges from 30-40%.
9. A process for preparing the herbal soft drink having antioxidant, hepatoprotective, cardio-tonic, diuretic, digestive, choleric, nervine relaxant and immuno-enhancing properties, the said process comprising the steps of:
 - (a) obtaining plant parts of *Phyllanthus* spp., *Glycyrrhiza glabra*, *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia* and *Withania somnifera*;

- (b) crushing the plant parts and mixing them to obtain a powdered mixture;
(c) adding water to the powdered mixture of step (b) to obtain an aqueous extract;
(d) concentrating the aqueous extract of step (c);
(e) filtering the concentrated extract of step (d);
5 (f) mixing jaggery to the filtered extract of step (e);
(g) adding *Sacromyces* strain and a fermenting agents to the mixture of step (f);
(h) fermenting the mixture of step (g) for a time period ranging between 3 to 6 days;
(i) filtering the fermented mixture of step (h);
10 (j) concentrating the fermented filtrate of step (i) to obtain a stock solution, and
(k) mixing the stock solution of step (j) with carbonated water in the w/w ratio of 1:3 to 1:5 to obtain the herbal soft drink

10. The process claimed in claim 9, wherein the plant parts used are selected from the group consisting of leaf, stem, root, fruits and whole plant.

15 11. The process claimed in claim 9 wherein in step (b), the percentage ratio of *Sita sps.*: *Boerhaavia diffusa*: *Vitis vinifera*: *Tinospora cordifolia*: *Withania somnifera* in the powdered mixture is in the range of 15 to 20: 5 to 10: 15 to 20: 5 to 10: 5 to 10.

12. The process claimed in claim 9 wherein in step (c), the w/w ratio of water added to the powdered mixture is in the range of 5:1 to 10:1.

20 13. The process claimed in claim 9 wherein in step (d), the aqueous extract is concentrated to 1/3 to 1/4 of its original volume.

14. The process claimed in claim 9 wherein in step (f), the w/w ratio of the jaggery: filtered extract is in the range of 1:3 to 1:4.

25 15. The process claimed in claim 9 wherein in step (j), the fermenting agent used is selected from *Sacromyces* strain and flowers of *Woodfordia fructose*.

16. The process claimed in claim 9 wherein in step (i), the fermented filtrate is concentrated to 4/5 to 1/5 of its original volume.

AMENDED CLAIMS

[received by the International Bureau on 22 July 2003 (22.07.03);
original claim 9 amended; remaining claims unchanged (2 pages)]

1. A herbal soft drink comprising of: a concentrated herbal extract obtained from a mixture of herbs selected from *Sida* sps., *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia* and *Withania somnifera* along with jaggery, a fermenting agent and carbonated water.
2. The herbal soft drink as claimed in claim 1, wherein the percentage ratio of *Sida* sps.: *Boerhaavia diffusa*: *Vitis vinifera*: *Tinospora cordifolia*: *Withania somnifera* in the powdered mixture is in the range of 15 to 20: 5 to 10: 15 to 20: 5 to 10: 5 to 10.
3. The herbal soft drink as claimed in claim 1, wherein the w/w ratio of the jaggery: concentrated herbal extract is in the range of 1:3 to 1:4.
4. The herbal soft drink as claimed in claim 1, wherein the fermenting agent used is *Sacromyces* strain and flowers of *Woodfordia fructose*.
5. The herbal soft drink as claimed in claim 4, wherein the percentage ratio of fermenting agent added is in the range of 4 to 16.
6. The herbal soft drink as claimed in claim 1, wherein the w/w ratio of carbonated water: the mixture of the concentrated extract, jaggery, and the fermenting agent is in the range of 1:3 to 1:5.
7. The herbal soft drink as claimed in claim 1, wherein the soft drink provides antioxidant, hepatoprotective, cardio-tonic, diuretic, digestive, choleric, nervine relaxant and immuno-enhancing properties.
8. The herbal soft drink as claimed in claim 1, wherein total solids content in the soft drink ranges from 30-40%.
9. A process for preparing the herbal soft drink having antioxidant, hepatoprotective, cardio-tonic, diuretic, digestive, choleric, nervine relaxant and immuno-enhancing properties, the said process comprising the steps of:
(a) obtaining plant parts of *Sida* sps., *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia* and *Withania somnifera*;

- (b) crushing the plant parts and mixing them to obtain a powdered mixture;
 - (c) adding water to the powdered mixture of step (b) to obtain an aqueous extract;
 - (d) concentrating the aqueous extract of step (c);
 - (e) filtering the concentrated extract of step (d);
 - (f) mixing jaggery to the filtered extract of step (e);
 - (g) adding *Sacromyces* strain and a fermenting agents to the mixture of step (f);
 - (h) fermenting the mixture of step (g) for a time period ranging between 3 to 6 days;
 - (i) filtering the fermented mixture of step (h);
 - (j) concentrating the fermented filtrate of step (i) to obtain a stock solution, and
 - (k) mixing the stock solution of step (j) with carbonated water in the w/w ratio of 1:3 to 1:5 to obtain the herbal soft drink
10. The process claimed in claim 10, wherein the plant parts used are selected from the group consisting of leaf, stem, root, fruits and whole plant.
11. The process claimed in claim 10 wherein in step (b), the percentage ratio of *Sita* sps.: *Boerhaavia diffusa*: *Vitis vinifera*: *Tinospora cordifolia*: *Withania somnifera* in the powdered mixture is in the range of 15 to 20: 5 to 10: 15 to 20: 5 to 10: 5 to 10.
12. The process claimed in claim 10 wherein in step (c), the w/w ratio of water added to the powdered mixture is in the range of 5:1 to 10:1.
13. The process claimed in claim 10 wherein in step (d), the aqueous extract is concentrated to 1/3 to 1/4 of its original volume.
14. The process claimed in claim 10 wherein in step (f), the w/w ratio of the jaggery: filtered extract is in the range of 1:3 to 1:4.
15. The process claimed in claim 10 wherein in step (j), the fermenting agent used is selected from *Sacromyces* strain and flowers of *Woodfordia fructose*.
16. The process claimed in claim 10 wherein in step (i), the fermented filtrate is concentrated to 4/5 to 1/5 of its original volume.

STATEMENT UNDER ARTICLE 19(1)

Claim 9 has been revised to reflect that plant parts of *Sida* *sps.*, *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia* and *Withania somnifera* are obtained and the same are used for preparing the herbal soft drink. None of the documents cited by the Examiner disclose a herbal soft drink composition containing extract from these 5 plants. The Applicants have amended claim 9 to remove typographic error. The amendments made in the claims are falling within the scope of the claims and in deed, there is no additional material or matter added in the claims while amending the claims.